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OFFICE OF PETITIONS

In re Application of :
Voellmy : DECISION ON PETITION
Application No. 10/046,420 :
Filed: October 26, 2001 :
For: MOLECULAR REGULATORY :
CIRCUITS TO ACHIEVE SUSTAINED :
ACTIVATION OF GENES OF INTEREST :
BY A SINGLE STRESS :

The decision is in response to the petition renewed under 37 CFR 1.137(b) filed June 11, 2006.

The petition under 37 CFR 1.137(b) is hereby **GRANTED**.

This application became abandoned December 3, 2005 for failure to timely submit a proper reply to the Notice of Allowance (Notice) mailed September 2, 2005. The Notice set a three month shortened statutory period of time for reply. Notice of Abandonment was mailed February 10, 2006. A petition under 37 CFR 1.181 was filed April 11, 2006 and dismissed May 26, 2006.

A grantable petition pursuant to 37 C.F.R. § 1.137(b) must be accompanied by: (1) the required reply to the outstanding Office action or notice, unless previously filed; (2) the petition fee as set forth in 37 C.F.R. § 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 C.F.R. § 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee set forth in 37 C.F.R. § 1.20(d)) required pursuant to 37 C.F.R. § 1.137(c).

The instant petition has been reviewed and found in compliance with the provisions of 37 CFR 1.137(b). Accordingly, the failure to timely submit a proper reply to the Notice is accepted as having been unintentionally delayed.

This application will be forwarded to the Office of Patent Publication for further processing.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3205.

A handwritten signature in black ink, appearing to read 'Alesia M. Brown', written over the printed name.

Alesia M. Brown
Petitions Attorney
Office of Petitions